IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 20TH JULY 2007 / 29TH ASHADHA 1929

Bail Appl..No. 4368 of 2007()

CRIME NO.224/07 OF PAYYOLI POLICE STATION

.....

PETITIONER: APPLICANT/1ST ACCUSED

SANDEEP S/O. BALAKRISHNAN,
AGED 20 YEARS, JYOTHI HOUSE, THRIVENI,
P.O.NAIRKUZHI, REC VIA, KOZHIKODE DISTRICT.

BY ADV. SRI.P.K.RAMKUMAR
SMT.ANITHA MENON

RESPONDENTS: COMPLAINANT

STATE OF KERALA REP.BY
SUB INSPECTOR OF PLICE, PAYYOLI POLICE STATION,
KOZHIKODE DISTRICT.

BY P.P. SRI.P. RAVINDRA BABU

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. NO. 4368 of 2007

Dated this the 20th day of July, 2007

ORDER

Application for regular bail. The petitioner faces allegations under Sec.379 of the IPC. At about 3.30 a.m. on 17/6/07, when a jeep was intercepted, it was found to carry 370 litres of kerosene. The petitioner/1st accused was allegedly the cleaner of the jeep and the 2nd accused, who was the driver of the said jeep, took to his heels and could not be apprehended. The petitioner was arrested and continues in custody from 17/6/07. The 2nd accused has not been apprehended yet.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not seriously oppose the said prayer and I am satisfied, in the facts and circumstances of this case, that the petitioner, who has remained in custody from 17/6/07 and has no criminal antecedents, can now be enlarged

on bail subject to appropriate terms and conditions.

3. **In the result:**

(a) The application is allowed.

(b) The petitioner shall be released on bail on the following terms and conditions:

(i) The petitioner shall execute a bond for Rs.50,000/- with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(ii) The petitioner shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of three months and thereafter as and when directed by the Investigating Officer in writing to do so.

(iii) The petitioner shall not leave the Sessions Division of Kozhikode for a period of three months from the date of his released, except with the prior permission of the learned Magistrate.

Sd/-

(R. BASANT, JUDGE)

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//true copy// P.S. To Judge